

Senate File 472 - Introduced

SENATE FILE _____
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1323)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to the judicial
2 branch, and providing an effective date.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4 TLSB 1006SV 83

5 jm/jp/8

PAG LIN

1 1 Section 1. JUDICIAL BRANCH.

1 2 1. There is appropriated from the general fund of the
1 3 state to the judicial branch for the fiscal year beginning
1 4 July 1, 2009, and ending June 30, 2010, the following amount,
1 5 or so much thereof as is necessary, to be used for the
1 6 purposes designated:

1 7 For salaries of supreme court justices, appellate court
1 8 judges, district court judges, district associate judges,
1 9 judicial magistrates and staff, state court administrator,
1 10 clerk of the supreme court, district court administrators,
1 11 clerks of the district court, juvenile court officers, board
1 12 of law examiners and board of examiners of shorthand reporters
1 13 and judicial qualifications commission; receipt and
1 14 disbursement of child support payments; reimbursement of the
1 15 auditor of state for expenses incurred in completing audits of
1 16 the offices of the clerks of the district court during the
1 17 fiscal year beginning July 1, 2009; and maintenance,
1 18 equipment, and miscellaneous purposes:
1 19 \$149,184,957

1 20 2. The judicial branch, except for purposes of internal
1 21 processing, shall use the current state budget system, the
1 22 state payroll system, and the Iowa finance and accounting
1 23 system in administration of programs and payments for
1 24 services, and shall not duplicate the state payroll,
1 25 accounting, and budgeting systems.

1 26 3. The judicial branch shall submit monthly financial
1 27 statements to the legislative services agency and the
1 28 department of management containing all appropriated accounts
1 29 in the same manner as provided in the monthly financial status
1 30 reports and personal services usage reports of the department
1 31 of administrative services. The monthly financial statements
1 32 shall include a comparison of the dollars and percentage spent
1 33 of budgeted versus actual revenues and expenditures on a
1 34 cumulative basis for full-time equivalent positions and
1 35 dollars.

2 1 4. The judicial branch shall focus efforts upon the
2 2 collection of delinquent fines, penalties, court costs, fees,
2 3 surcharges, or similar amounts.

2 4 5. It is the intent of the general assembly that the
2 5 offices of the clerks of the district court operate in all 99
2 6 counties and be accessible to the public as much as is
2 7 reasonably possible in order to address the relative needs of
2 8 the citizens of each county.

2 9 6. In addition to the requirements for transfers under
2 10 section 8.39, the judicial branch shall not change the
2 11 appropriations from the amounts appropriated to the judicial
2 12 branch in this Act, unless notice of the revisions is given
2 13 prior to their effective date to the legislative services
2 14 agency. The notice shall include information on the branch's
2 15 rationale for making the changes and details concerning the
2 16 workload and performance measures upon which the changes are

2 17 based.

2 18 7. The judicial branch shall submit a semiannual update to
2 19 the legislative services agency specifying the amounts of
2 20 fines, surcharges, and court costs collected using the Iowa
2 21 court information system since the last report. The judicial
2 22 branch shall continue to facilitate the sharing of vital
2 23 sentencing and other information with other state departments
2 24 and governmental agencies involved in the criminal justice
2 25 system through the Iowa court information system.

2 26 8. The judicial branch shall provide a report to the
2 27 general assembly by January 1, 2010, concerning the amounts
2 28 received and expended from the enhanced court collections fund
2 29 created in section 602.1304 and the court technology and
2 30 modernization fund created in section 602.8108, subsection 7,
2 31 during the fiscal year beginning July 1, 2008, and ending June
2 32 30, 2009, and the plans for expenditures from each fund during
2 33 the fiscal year beginning July 1, 2009, and ending June 30,
2 34 2010. A copy of the report shall be provided to the
2 35 legislative services agency.

3 1 9. The judicial branch is encouraged to purchase products
3 2 from Iowa state industries, as defined in section 904.802,
3 3 when purchases are required and the products are available
3 4 from Iowa state industries. The judicial branch shall obtain
3 5 bids from Iowa state industries for purchases of office
3 6 furniture during the fiscal year beginning July 1, 2009,
3 7 exceeding \$5,000.

3 8 Sec. 2. CIVIL TRIALS == LOCATION. Notwithstanding any
3 9 provision to the contrary, for the fiscal year beginning July
3 10 1, 2009, and ending June 30, 2010, if all parties in a case
3 11 agree, a civil trial including a jury trial may take place in
3 12 a county contiguous to the county with proper jurisdiction,
3 13 even if the contiguous county is located in an adjacent
3 14 judicial district or judicial election district. If the trial
3 15 is moved pursuant to this section, court personnel shall treat
3 16 the case as if a change of venue occurred. However, if a
3 17 trial is moved to an adjacent judicial district or judicial
3 18 election district, the judicial officers serving in the
3 19 judicial district or judicial election district receiving the
3 20 case shall preside over the case.

3 21 Sec. 3. TRAVEL REIMBURSEMENT. For the fiscal year
3 22 beginning July 1, 2009, a judicial officer may waive travel
3 23 reimbursement for any travel outside the judicial officer's
3 24 county of residence to conduct official judicial business.

3 25 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT ==
3 26 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports
3 27 required to be provided by the judicial branch for fiscal year
3 28 2009=2010 to the legislative services agency shall be provided
3 29 in an electronic format. The legislative services agency
3 30 shall post the reports on its internet web site and shall
3 31 notify by electronic means all the members of the joint
3 32 appropriations subcommittee on the justice system when a
3 33 report is posted. Upon request, copies of the reports may be
3 34 mailed to members of the joint appropriations subcommittee on
3 35 the justice system.

4 1 Sec. 5. JUDICIAL OFFICER == VOLUNTARY FURLOUGHS.
4 2 Notwithstanding the annual salary rates for judicial officers
4 3 established by 2008 Iowa Acts, chapter 1191, section 11, for
4 4 the fiscal period beginning July 1, 2008, and ending June 30,
4 5 2010, a judicial officer may voluntarily agree to be
4 6 furloughed on any day employees of the judicial branch are
4 7 furloughed. If a judicial officer voluntarily agrees to be
4 8 furloughed on a specific date, the judicial officer shall
4 9 notify the state court administrator of the furlough date. If
4 10 a judicial officer voluntarily agrees to be furloughed, the
4 11 salary of the judicial officer shall be reduced accordingly
4 12 for the pay period in which the furlough date occurred in the
4 13 same manner as for noncontract employees of the judicial
4 14 branch. Through the course of the fiscal period, the judicial
4 15 branch may use an amount equal to the aggregate amount of
4 16 salary reductions due to voluntary judicial officer furloughs
4 17 for any purpose other than for judicial salaries.

4 18 Sec. 6. EFFECTIVE DATE. The section of this Act
4 19 permitting voluntary judicial officer furloughs, being deemed
4 20 of immediate importance, takes effect upon enactment.

4 21 EXPLANATION

4 22 This bill appropriates from the general fund of the state
4 23 for FY 2009-2010 to the judicial branch.

4 24 The bill includes the state's required contribution for
4 25 judicial retirement in the general appropriation to the
4 26 judicial branch rather than providing a separate
4 27 appropriation.

4 28 The bill allows a judicial officer to voluntarily furlough
4 29 for the fiscal period beginning July 1, 2008, and ending June
4 30 30, 2010, on any day a court employee is required to furlough.
4 31 The bill provides that if a judicial officer furloughs, the
4 32 salary of the judicial officer shall be reduced accordingly
4 33 for the pay period in which the furlough occurred. Through
4 34 the course of the period, the bill provides that the judicial
4 35 branch may use an amount equal to the aggregate amount of the
5 1 salary reductions due to voluntary judicial furloughs for any
5 2 purpose other than judicial salaries. The judicial officer
5 3 voluntary furlough provision takes effect upon enactment.

5 4 The bill provides that a civil trial including a jury trial
5 5 may take place in a county contiguous to the county with
5 6 proper jurisdiction, even if the contiguous county is located
5 7 in an adjacent judicial district or judicial election
5 8 district, if all the parties in a case agree. If a trial is
5 9 moved to another county that is located in another judicial
5 10 district or judicial election district, the judicial officers
5 11 serving the judicial district or judicial election district
5 12 receiving the case shall preside over the case.

5 13 The bill permits a judicial officer to waive travel
5 14 reimbursement for any travel outside the judicial officer's
5 15 county of residence to conduct official business.

5 16 LSB 1006SV 83

5 17 jm/jp/8